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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Norberto FESTÖ)
)
U.S. Appln. No.: 09/673,411) Group: 1614
)
U.S. Filing Date:) Examiner: not yet assigned
October 16, 2000 (as amended))
)
International Application No:)
PCT/IB00/00167)
)
International Filing Date:)
16 February 2000) Our Ref.: B-3992PCT 618156-1
)
For: "PHARMACEUTICAL)
COMPOSITIONS CONTAINING)
COMPOUNDS WITH ACTIVITY FOR THE)
ENHANCEMENT OF ABSORPTION OF)
ACTIVE INGREDIENTS") Date: January 8, 2001

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

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JAN 16 2001

OFFICE OF PETITIONS

Sir:

REQUEST FOR CORRECTED FILING DATE

The subject application was submitted pursuant to the Express Mail Procedure of 37 CFR 1.10. The application, which contained all of the items required under 35 U.S.C. 371, was deposited with the United States Postal Service (USPS) in an Express Mail envelope with sufficient postage for Express Mailing on October 16, 2000 pursuant to 37 CFR 1.10, but the return postcard and official filing receipt (copies enclosed) indicate that the United States Patent and Trademark Office (USPTO) consider the filing date to be October 16, 2000.

Enclosed is a copy of the Express Mail envelope with Express Mail

Request for Corrected Filing Date
U.S. Patent Appln. No. 09/673,411
January 8, 2001
Page 2

Label Number EL394034499US and a copy of the Express Mail Certificate dated October 16, 2000 from our files. The Express Mail Certificate dated October 16, 2000 contains a Certification of Express Mailing Date under 37 CFR 1.10 and proper reference to Express Mail Label Number EL394034499US as required by Section 1.10. This information is also contained in the files of the United States Patent and Trademark Office.

Also enclosed is a copy of the Express Mail Pickup Service Statement (PS Form 5541) listing Label Number EL394034499US returned from the USPS. It should be noted that the "sign in" clerk at the USPS inadvertently indicated the "date in" to be October 17, 2000, instead of October 16, 2000. However, it is apparent from the enclosed letter from Bettye Thomas, the Express Mail Administrative Clerk of the USPS, that October 16, 2000 is the correct "sign in" date.

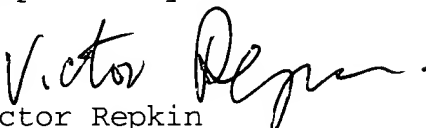
Karyn Lao, the person mailing the papers pursuant to 37 CFR 1.10, has signed a verified statement that the new application was deposited with the USPS in an Express Mail envelope with sufficient postage for Express Mailing on October 16, 2000. The signed verified statement signed by Karyn Lao is attached.

Applicants have complied with the requirements of 35 U.S.C. 371 on October 16, 2000 and are entitled to a filing date of October 16, 2000. Therefore, please update all of the records in the USPTO to indicate that the filing date of the above-identified application is October 16, 2000; and please advise us in writing that the

Request for Corrected Filing Date
U.S. Patent Appln. No. 09/673,411
January 8, 2001
Page 3

USPTO considers October 16, 2000 to be the filing date of the
above-identified U.S. application.

Respectfully submitted



Victor Repkin
Reg. No. 45,039
Attorney for Applicant
LADAS & PARRY
5670 Wilshire Boulevard, #2100
Los Angeles, California 90036
(323) 934-2300

Enclosures: copy of return postcard
copy of official filing receipt
copy of the Express Mail envelope
copy of October 16, 2000 Express Mail Certificate
Verified statement signed by Karyn Lao
letter from the USPS with copy of the Express Mail
Pickup Service Statement (PS Form 5541)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with
the United States Postal Service with sufficient postage as first-
class mail in an envelope addressed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
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Washington, D.C. 20231, on
January 8, 2001

By: 
Karyn Lao



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JAN 11 2001

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To: USPD (kl)

Our reference: B-3992PCT 618156-1

FROM: COMMISSIONER OF THE PATENTS

Date mailed: October 16, 2000

THE PATENT AND TRADEMARK OFFICE

Express Mail EL394034499US

MAIL ROOM STAMP HEREON ACKNOWLEDGES

RECEIPT OF: New U.S. Patent Application

U.S. National Phase of PCT/IB00/00167, consisting of

Express Mail Certificate (1 page); Check No. 12275 for \$430;

Transmittal letter (2 pages); Copy of first page of PCT International Application No.

PCT/IB00/00167 as published (1 page); copy of PCT International Application as

filed consisting of: Abstract (1 page), Specification (58 pages), Claims (55 pages);

Preliminary Amendment (7 pages); Verified Statement Claiming Small Entity Status-

Independent Inventor (1 page); Verified Statement Claiming Small Entity Status---

Small Business Concern (1 page); Declaration/Power of Attorney (4 pages); Copy of

Form PCT/IB/301 (1 page); Copy of Form PCT/IB/308 (1 page); Information

Disclosure Statement (2 pages) with Form PTO-1449 (Modified)) (1 page), copy of

International Search Report (3 pages) and copies of

cited documents; Assignment document (3 pages),

Assignment Cover Sheet (1 page), and Check No.

12276 for \$40.00; and this postcard.

STAMP

097673411

525 Rec'd PCT/PTO 17 OCT 2000

IN CONNECTION WITH: Norberto FESTO

FOR: "PHARMACEUTICAL COMPOSITIONS

CONTAINING COMPOUNDS WITH ACTIVITY FOR

THE ENHANCEMENT OF ABSORPTION OF ACTIVE

INGREDIENTS"



UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231
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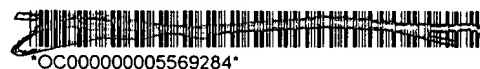
APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/673,411	10/17/2000	1614	430	B-3992PCT618		9	1

Richard P Berg
Ladas & Parry
Suite 2100
5670 Wilshire Boulevard
Los Angeles, CA 90036-5679

10/16/2000



FILING RECEIPT



OC000000005569284

Date Mailed: 11/21/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Norberto Festo, Lugano, SWITZERLAND;

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Continuing Data as Claimed by Applicant

THIS APPLICATION IS A 371 OF PCT/IB00/00167 02/16/2000

JAN 16 2001

OFFICE OF PETITIONS

Foreign Applications

SWITZERLAND 0311/99 02/18/1999

If Required, Foreign Filing License Granted 11/20/2000

** SMALL ENTITY **

Title

Pharmaceutical compositions containing compounds with activity for the enhancement of
absorption of active ingredients

Preliminary Class

514

Data entry by : ORDENEZ, MARTA

Team : OIPE

Date: 11/21/2000



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

NT



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 ★ ★ ★
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 1450 U.S. POSTAGE PB5510413
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ORIGIN (POSTAL USE ONLY)			DELIVERY (POSTAL USE ONLY)		
PO ZIP Code	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>	Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Date In Mo. Day Year	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$	Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Time In <input type="checkbox"/> AM <input type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Weight lbs. ozs.	Int'l Alpha Country Code	COD Fee Insurance Fee	Signature of Addressee or Agent		
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials	Total Postage & Fees \$	Name - Please Print		
CUSTOMER USE ONLY METHOD OF PAYMENT: Express Mail Corporate Acct. No. Federal Agency Acct. No. or Postal Service Acct. No.			<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery. NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		
FROM: (PLEASE PRINT) PHONE 213.934.2300 LADAS & BARRY 5670 WILSHIRE BLVD STE 2100 LOS ANGELES CA 90036-5690 B-3992PCT 618156-1			TO: (PLEASE PRINT) PHONE () COMM OF PATENTS & TRADEMARKS BOX PCT ATTN US DESIGNATED/ELECTED OFFICE (DO/EO/US) WASHINGTON DC 20231-		

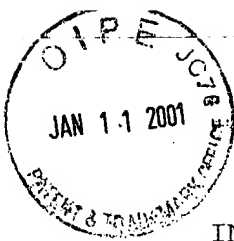
Mailing Label
 Label 11-F July 1997

39/ 100

EQE
 123

PRESS HARD. FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.gov





IN THE UNITED STATES DESIGNATED OFFICE DO/US)
REGARDING THE INTERNATIONAL APPLICATION OF
Norberto FESTÖ
ENTITLED: "PHARMACEUTICAL COMPOSITIONS CONTAINING COMPOUNDS WITH
ACTIVITY FOR THE ENHANCEMENT OF ABSORPTION OF ACTIVE INGREDIENTS"
INTERNATIONAL APPLN. NO. PCT/IB00/00167
Our Ref: B-3992PCT 618156-1

Commissioner of Patents and Trademarks
BOX PCT
Washington, D.C. 20231

Attn: United States Designated/Elected Office (DO/EO/US)

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OFFICE OF PETITIONS

INTERNATIONAL STAGE EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL394034499US

Date of Deposit: October 16, 2000

I hereby certify that the following attached papers or fee

- postcard
- check for \$430.00
- Transmittal Letter (2 pages)
- Copy of first page of PCT International Application
No. PCT/IB00/00167 as published
- copy of PCT International Application as filed
consisting of:
 - Abstract (1 page)
 - Specification (58 pages)
 - Claims (55 pages)
- Preliminary Amendment (7 pages)
- Verified Statement Claiming Small Entity Status--
Independent Inventor (1 page)
- Verified Statement Claiming Small Entity Status-- Small
Business Concern (1 page)
- Declaration/Power of Attorney (4 pages)
- Copy of Form PCT/IB/301
- Copy of Form PCT/IB/308
- Information Disclosure Statement (2 pages) with
Form PTO-1449 (Modified)) (1 page), copy of
International Search Report (3 pages) and copies of
cited documents
- Assignment document (3 pages),
Assignment Cover Sheet (1 page), and Check for \$40.00

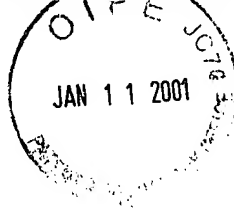
are being deposited with the United States Postal Service "Express
Mail Post Office to Addressee" service with sufficient postage
under 37 CFR 1.10 on the date indicated above in an envelope
addressed to the Commissioner of Patents and Trademarks, Box PCT,
Washington, D.C. 20231, Attn: United States Designated/Elected
Office (DO/EO/US).

Karyn Lao

(Typed or printed name of person mailing paper or fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Norberto FESTÖ



Group Art Unit: 1614

Serial No.: 09/673,411

Examiner: unknown

Filed: October 16, 2000 (as amended)

Our Ref.: B-3992PCT 618156-1

For: "PHARMACEUTICAL
COMPOSITIONS CONTAINING
COMPOUNDS WITH ACTIVITY FOR THE
ENHANCEMENT OF ABSORPTION OF
ACTIVE INGREDIENTS"

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

Date of this paper:
January 8, 2001

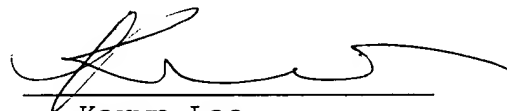
Sir:

VERIFICATION

I am the person who mailed the above-identified application pursuant to 37 CFR. 1.10 on October 16, 2000; and I verify that the subject application with all of the items required under 35 U.S.C. 371 were deposited with the United States Postal Service in an Express Mail envelope with sufficient postage for Express Mailing on October 16, 2000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: January 8, 2001


Karyn Lao



07/673,411

**EXPRESS MAIL OFFICE
7001 S CENTRAL AVE, RM 335
LOS ANGELES CA 90052-9601
(323) 586-3695**

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**UNITED STATES
POSTAL SERVICE**

October 24, 2000

**Commissioner of Patents
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Washington DC 20231**


To Whom It May Concern:

On October 16, 2000, we, the U S Postal Service picked up Express Mail item # EL394034499US from our customer, Ladas & Parry. Regrettably, we mishandled this item and it entered our mailstream on October 17, a complete day later.

Clearly the U S Postal Service is culpable for this unfortunate incident, not our customer.

Please accept this letter and copy of the Pickup Service Statement, PS form 5541, as irrefutable documentation that our customer mailed this item on October 16, 2000.

Respectfully,


**Bettye Thomas
Administrative Clerk**

FAX:

USSN 09/673,411



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**Pickup Service Statement –
Express Mail, Priority Mail, or Parcel Post**

2. Customer Name and Address (No., Street, Suite No., City, and State)
LADAS & PARRY
5670 WILSHIRE BLVD STE 2100
LOS ANGELES CA 90036-5607

ZIP + 4 9 0 0 3 6 - 5 6 0 7

1. A
★ ★ ★ ★
PITNEY BOWES
U.S. POSTAGE
1480 PB5510413
0020 \$ **08.25** OCT 16 2000
5523 MAILED FROM ZIP CODE 90036

Express Mail	Quantity
Priority Mail	Quantity
Parcel Post	Quantity

4. Custom Design Agreement 5. Method of Payment

CDA No. _____ ☐ Corporate Account ☐ Federal Agency Account ☐ Meter Strip or Stamps
No. _____ No. _____ (Apply fee in Item 1 above)

6. Express Mail Label Numbers

Item No.	Express Mail Label Number	Item No.	Express Mail Label Number	Item No.	Express Mail Label Number
1	EL394034499VS	6		11	
2	EL052830175US	7		12	
3		8		13	
4		9		14	
5		10		15	

7. Customer Signature: *[Signature]* 8a. USPS Signature: *[Signature]* 8b. Date of Pickup: **10/16/00** 8c. Time of Pickup: **5:50**